

2026 TEXAS ELECTIONS

Inside the child sex abuse case that resulted in Ken Paxton's office offering a plea deal of just one day in jail

Critics are pointing to two other serious felony cases that the attorney general's prosecutors took to trial that ended in mistrials and, eventually, plea deals.

BY [NEENA SATIJA](#), THE TEXAS NEWSROOM, [TAYLOR GOLDENSTEIN](#), AND [MOLLY-JO TILTON](#), KWBU
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State Rep. Pat Curry, R-Waco, addresses the recent plea agreement in the Adam Hoffman case during a press event at the McLennan County Courthouse on Friday, May 15, 2026. Also shown are, from left, state Rep. Jeff Leach, R-Plano; Sheri Hykel, a friend of the victim's family; and Melissa Dietrich, a spokesperson for the victim's family. Justin Hamel/The Waco Bridge/CatchLight Local/Report for America



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WACO — Texas Attorney General **Ken Paxton is under fire for a plea deal** his prosecutors offered last month to a Waco man charged with repeatedly sexually abusing a young boy.

The deal in the case, which Paxton's office took over about three years ago after the locally elected district attorney recused himself, would have let the man plead guilty to two misdemeanors and serve a total of just one day in jail.

Now Paxton, locked in a heated primary to be the Republican nominee for U.S. Senate, is facing criticism from political opponents who say his office was too lenient toward the man, who admitted that he molested the victim as part of the deal. This comes even as Paxton has built a reputation **attacking local district attorneys** for being too soft on crime.

“Predators who commit these crimes tend to repeat them over and over again, until stopped,” U.S. Sen. **John Cornyn**, who Paxton is seeking to oust in the primary, recently **posted on X**. “Paxton could have stopped this one, but instead cut him loose to reoffend over and over again, putting more children at risk.”

State Rep. Jeff Leach, a Plano Republican who has endorsed Cornyn's reelection, **sent a letter to Paxton's office** earlier this month calling the deal “incomprehensible” and demanding answers.



Attorney General Ken Paxton speaks at a campaign rally in Tyler on Feb. 16, 2026. Michael Cavazos for The Texas Tribune

Paxton's office did not respond to emailed questions for this story. A spokesperson pointed to a letter that two of his prosecutors who worked on the case **sent to Leach last week**, in which they explained that the case went to trial last year but ended in a hung jury, and the young victim did not want to testify a second time.

"The child emphasized that he preferred to move on with his life and prioritize his mental and emotional health," wrote the prosecutors, Brenda Cantu and Dorian Cotlar.

Beyond Paxton's immediate political rivals, the deal has attracted criticism from local officials in Waco, including the McLennan County district attorney, a state representative from the area and even the judge presiding over the matter.

"One day. Seriously? Somebody has to sell me on the wisdom of it," said Judge Roy Sparkman, according to a transcript of an April 16 hearing. Sparkman, a visiting judge who previously served on the bench as a Republican, later insisted on a 60-day jail sentence.

The mother of the victim agreed to an early version of the plea deal in court, but said in an interview that she now disagrees with the outcome.

“We were put in an impossible situation,” said the mother, who The Texas Tribune and The Texas Newsroom are not naming to protect the identity of the victim. “How do you trust the prosecution to go back to a case that they want to plead out when they’re the ones that are supposed to fight for it, and they don’t want to do it?”

The Texas Newsroom and the Tribune examined hundreds of pages of court documents related to the Waco case and conducted more than a dozen interviews, including with people close to the case as well as experts who were not involved in it but reviewed some of the details.

The experts said the outcome reflects the difficult nature and often-painful reality of prosecuting complex child abuse cases.

“I do really love getting life or 50 years in a case when I feel like it’s appropriate,” said Angela Weltin, chief of the Special Victims Bureau for the Harris County District Attorney’s Office. “But there are times when I have to dismiss the case even when I know they committed this offense, because I can’t prove it and I can’t re-traumatize that child.”

Gerry Morris, the man’s defense attorney, said he was baffled by the suggestion that his client got any kind of special treatment and that misdemeanor plea deals are not uncommon in child sex abuse cases. “There was nothing extraordinary about what happened. Nothing. Not at all,” Morris said, adding, “to see [critics] sit here and armchair quarterback this thing is ridiculous.”

The controversy over the case has raised fresh questions about whether Texas’ top lawyer is living up to his own hardline stance on criminal prosecutions. Critics are pointing to two other serious felony cases that the attorney general’s prosecutors took to trial that ended in mistrials and, eventually, plea deals.

For instance, attack ads from Cornyn’s allies highlight the case of a man **originally charged with child sex trafficking** who received a deal for a probation sentence. And Sparkman brought up another case in open court last

month, noting that Paxton had also taken over a murder-for-hire case that he oversaw, which resulted in a misdemeanor plea and a four-day jail sentence.

“I’m seeing a pattern here that is concerning me,” Sparkman said, referring to the way Paxton’s office prosecutes cases. “If they get a mistrial, all of a sudden it’s just a little misdemeanor with a slap on the hand.”

Court records show that all three cases drawing scrutiny began as high-level felony charges and ended in mistrials. All were eventually resolved with plea deals resulting in little to no jail time. And in each case, the judge presiding over the deal insisted on a harsher punishment than what Paxton’s office originally proposed.

In some ways, the controversies Paxton is facing mark the inevitable collision of tough-on-crime political rhetoric with the daily, often messy realities of the courtroom – and they come as Paxton has sought more authority over local prosecutors. **Some are now suing him over a rule he announced last year** requiring them to send his office detailed reports on their activities.

One of them is Williamson County District Attorney Shawn Dick, a Republican.

“I can’t speak to the result in this specific case without having all the facts, but it is ironic that Paxton is now facing criticism for this outcome when he frequently criticizes the work of local prosecutors who are faced with these difficult decisions daily,” Dick said in an interview.

A hung jury

Last summer, two prosecutors from the attorney general’s office stood in a Waco courtroom and acknowledged that jurors had a difficult task in front of them.

The defendant, a local attorney named Adam Dean Hoffman, stood accused of repeatedly sexually abusing a young boy for years. The boy had told an investigator that Hoffman raped him and showed him pornography, court records show. And he talked about his suffering on the witness stand in detail during the trial.

“Think about this kiddo and what this kid went through at age 8, and 9, and 10,” Cotlar said during the closing arguments, later adding, “He’s not lying, and you know that because he’s so specific.”

But there were complicating factors for the jury to consider. The victim’s revelation about his abuse came after he was caught “acting out sexually” with his cousin, Cotlar said. He’d also recanted parts of his testimony during the trial, including a claim that he saw guns in Hoffman’s home.



Adam Dean Hoffman was accused of repeatedly sexually abusing a young boy for years. Courtesy of KWTX

Experts say it’s not uncommon for young victims of such abuse to become perpetrators soon afterward. Nor is it out of the ordinary for children to offer conflicting accounts – especially if they’re testifying years later. In this case, the trial happened three years after the boy made the first accusation.

But the reality is that in child abuse cases, the child’s testimony is often the only evidence that’s available, said Weltin, the Harris County prosecutor. And so if it’s inconsistent, that can create reasonable doubt in the minds of jurors.

Waco authorities had also botched a key part of the initial police investigation, well before Paxton’s office was involved in the case. Instead of a child abuse expert, a police officer interviewed the boy about what he went through, which experts say is a clear departure from best practice.

“Was this the perfect way to conduct this investigation? No, it was not, and we own that,” Cotlar told jurors during closing arguments. “The case comes as it comes.”

In the end, jurors could not deliver a verdict.

“Deliberations are not productive at this point,” the lead juror wrote in a note to the judge after the jury had deliberated for nine hours. The note also said that

five jurors were leaning toward a “not guilty” verdict, while seven felt that the boy’s testimony, as well as that of forensic experts, “were enough to prove guilt.”

Prosecutors were left with three options – dismiss the case, negotiate a plea agreement or take the case to trial again, which would have required the victim to take the witness stand once more.

“It was horrible,” his mother recalled in an interview. Her son had been forced to talk about “the most horrible things that have ever happened in his life, in a room full of strangers and the person that did it, and he didn’t want to do it again.”

About 10 months after the first trial resulted in a hung jury, the mother said prosecutors met with her and her son. They explained that they wanted to drop the felony charge of “continuous sexual abuse of a young child” and allow Hoffman to plead guilty to two misdemeanors: “indecent assault” and “display of harmful materials to a minor.”

As part of the indecent assault plea, Hoffman agreed to make a statement that he “did then and there, with the intent to arouse or gratify my sexual desire, touch genitals of [the victim, identified by initials] ... and I acted without the complainant’s consent.”

Crucially, Hoffman was legally admitting to abusing an individual whose age is not specified in the plea documents. That crime does not require him to register as a sex offender.

And prosecutors were agreeing to a jail sentence of “time served,” which included the one day in jail Hoffman had spent following his initial arrest before he bonded out.

“I said I had to think about it and pray about it,” the mother said, describing her response to prosecutors during the meeting.

The prosecutors then told her, “they represent the state, not us, and that they can do it without me ... but they would like me to agree,” she recalled.

Reluctantly, she agreed. But the judge did not. When the prosecution and defense convened on April 16 to announce the deal, Sparkman balked.

“Somebody want to explain this to me?” he asked, according to the transcript.

“Judge, there were ongoing discussions with multiple members of the defense team as well as the state reviewing the state of the evidence, reviewing the anticipated trauma on the victim,” Cantu, one of the prosecutors, responded.

“My inclination is not to accept a one-day sentence,” Sparkman said, before calling a short recess.

When everyone returned, Cantu pitched a new agreement: Hoffman would spend 30 days in jail and surrender his Texas law license. She also noted there was a “lifetime protective order” barring him from any contact with the victim.

Sparkman asked the boy’s mother if she and her son wanted the court to accept the plea recommendation.

“Yes, your honor,” she responded.

“All right,” Sparkman said. “The Court obviously has some reservations, but I want to respect the family’s wish.”

But Sparkman’s final decision wouldn’t come until a formal sentencing hearing the following week.

“This isn’t justice”

In the days after the plea hearing, protesters marched in front of the McLennan County courthouse.

District Attorney Josh Tetens had recused himself from the case years earlier because Hoffman had briefly sought Tetens’ counsel back when he was a defense attorney. But after news of the deal went public, the outcry was so intense he began issuing statements and responding to Facebook commenters, reminding them: “Our office did not prosecute this case, it was the

Texas Attorney General's office.” In another post he said that his office “shares the public’s concern and frustration over how the Hoffman case was resolved.”



Around 20 people protest former Waco attorney Adam Hoffman's sentencing on April 20, 2026. Justin Hamel/The Waco Bridge/CatchLight Local/Report for America

“I cannot — and we’ve racked our brains — cannot think of anything in recent history that was put down to a misdemeanor from that level of offense,” said Tetens, a Republican, in an interview.

The public discussion made enough waves that Sparkman addressed it directly at the sentencing hearing on April 27.

“I understand this has gotten some attention, which is good,” he said, before going on to ask the victim’s mother once again if she agreed to the proposed outcome in the case.

“No,” she answered, adding, “It’s just not enough. He’s dangerous. This isn’t justice, and I can’t do it.”

Sparkman asked her why her answer had changed.

“My son just still doesn’t want to testify again, but 30 days isn’t enough,” she responded.

Sparkman responded by upping the sentence to 60 days.

Hoffman’s defense lawyer accepted the deal on the spot.

“Not my first go-round”

Before adjourning, Sparkman aired one last concern.

“I’m also bothered because this is not my first go-round with the Attorney General’s Office,” he said, noting the similarities between this outcome and an unrelated case that happened to involve serious criminal charges against a different Waco defense attorney, Seth Sutton.

Court records show that back in 2020, Waco authorities accused Sutton of hiring a hit man to kill someone he believed had molested his stepdaughter. The hit man turned out to be an undercover police officer who was investigating Sutton’s motorcycle club for possible gang activity.

Sutton was charged with “criminal solicitation of capital murder,” a first-degree felony that could lead to life in prison. But because one of Sutton’s former colleagues had gone to work for the McLennan district attorney, the office recused itself from the case and Paxton’s prosecutors took over.

Court records show it wasn’t Sutton’s idea to hire a hit man; rather, the police officer volunteered to carry out the murder for him. And he’d also continued the undercover operation even after his supervisors ordered him to stop.

The trial ended in a hung jury, and a few days later, prosecutors signaled their intent to go to a second trial, according to court records. But the following year,

they agreed to dismiss the felony charge, and Sutton pleaded guilty to “terroristic threat,” a misdemeanor. He surrendered his law license and got a four-day jail sentence.

Sparkman had also presided over those proceedings and insisted on a harsher plea deal, demanding that Sutton be required to wait three years to re-apply for a law license, instead of being able to re-apply immediately, according to local TV station KWTX.

“I can tell you that we, Mr. Cotlar and I, had nothing to do with this other prior case,” Cantu told Sparkman, after he compared it to Hoffman’s deal. “There is no sort of system that is put in place where anybody tells us what to do in our cases ... We evaluate them as a team based on the evidence and based on the limitations of our evidence.”

The AG’s office did not respond to a request for comment on this case. Sutton’s attorney, Clint Broden, said in an interview that he did not view the case as indicative of larger problems with Paxton’s office. Instead, he said the jury couldn’t make a decision because he’d effectively argued that the undercover police officer had placed enormous pressure on Sutton to solicit the murder, essentially entrapping him.

“He’s sworn to uphold the law, and then he’s pushing you to take actions into your own hands, and that certainly did not create a good look for some people on the jury,” Broden said.

In a statement, Sutton said he was “enraged” by the suggestion that his case bears any similarities to the others, adding: “I hurt no one. I scared no one. I only accepted a reduced deal to shield my family from another trial.”

Questions about a third case

The Hoffman plea deal has also raised questions about Paxton’s role in a third plea deal that was highlighted in a campaign attack ad paid for by a pro-Cornyn super PAC.

In that Bexar County case, authorities charged Rakim Sharkey in 2017 with “continuous trafficking of persons,” accusing him of holding two girls and an adult woman against their will and forcing them to do sexual acts for money. Like the Hoffman and Sutton cases, Sharkey’s deal was also cut after a 2022 mistrial, that time because people in the courtroom, including a key witness, contracted COVID-19.

Sharkey had faced up to life in prison, but under a plea deal the following year with the attorney general’s office, he instead was placed on probation and avoided having to register as a sex offender. The judge also insisted on a more punitive sentence than prosecutors originally proposed, upping the probation sentence by two years.

Two years later, in 2025, Sharkey was rearrested for a series of felonies, including first-degree felony burglary, and his probation was revoked, court records show. He is now serving a 22-year prison sentence.

Kirsta Leeburg Melton, a veteran prosecutor who led Paxton’s human trafficking division from 2015 to 2019, worked on the case extensively before she left the office and said she was sickened by the outcome.

Melton said an attorney general’s prosecutor falsely told the court that key witnesses were unavailable for a second trial. One had testified in an unrelated trafficking case just the week prior, she said. Paxton’s office did not respond to questions about this case.

“Sharkey’s case was an extremely well investigated, well-corroborated human trafficking case, and frankly, you’re not going to get better evidence,” said Melton, who in 2012 had established and led Bexar County’s first human trafficking unit.

Melton said she sees that outcome as “distinct” from the Hoffman case, however.

“You’ve got to be willing to go to trial on hard cases, to work with victims who have been through serious trauma and to see that justice is done,” Melton said. “The prosecutor who agreed to give Sharkey probation on a severely reduced

offense instead of taking the case to trial when he had victims willing to cooperate walked away from that obligation.”

The Sharkey case came at a time when the AG’s human trafficking unit had come under public scrutiny for bungled cases amid high turnover, including the loss of top experts like Melton. Despite human trafficking cases skyrocketing during the pandemic, the unit did not secure a single conviction or deferred adjudication in 2020 and produced just four in 2021, the [Houston Chronicle reported](#).

Last year, Texas’ Republican-led Legislature expanded Paxton’s ability to prosecute human trafficking cases. [A new law](#) allows the attorney general’s office to pursue the cases if local prosecutors don’t do so within six months.

State Rep. Pat Curry, R-Waco, said in an interview that the legislation was about securing the state’s “long-term future” for public safety, regardless of who serves as attorney general. However, he said he’s now worried about Paxton’s office taking over child sex abuse cases.

“Frankly, with the mistakes that I believe were made in [the Hoffman] case, I will tell you that no, I don’t think I want to give them any more power over cases like this.”

“Messiness of practicing trial law”

A week before Election Day, the firestorm over the Hoffman case has turned into a political liability for Paxton and has prompted a virtual pit fight between his detractors and his allies.

Tom Giovanetti, the president of the Dallas-based conservative think tank Institute for Policy Innovation and a Cornyn supporter, called the Hoffman outcome “an Epstein-style deal” [in a post on X](#).

Republican state Rep. Mitch Little, Paxton’s former defense attorney during his impeachment trial and a supporter of Paxton’s Senate campaign, has repeatedly defended the AG’s office online while accusing critics of exploiting the case for “political leverage.”

“This is the messiness of practicing trial law,” Little said in an interview. “The emotions on cases like these run so hot, and rightfully so, that it’s very difficult to know where this lands.”

Neena Satija is a reporter for The Texas Newsroom, the collaboration among the public radio stations in the state. She is based at KUT in Austin. Taylor Goldenstein is a reporter in Austin for The Texas Tribune. Molly-Jo Tilton is a reporter at the public radio station KWBU in Waco.

Correction, May 19, 2026, 10:04 a.m. Central:

An earlier version of this story incorrectly listed the original charge for Rakim Sharkey. In 2017, Sharkey was charged with “continuous trafficking of persons.”